

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Atty Docket No. MIC-001US1)

**Serial No.:** 09/487,558  
**Filed:** 19 January 2000  
**Inventors:** Busby et al  
**Title:** METHODS FOR IMPROVING SECONDARY METABOLITE  
PRODUCTION IN FUNGI  
**Group Art Unit:** 1636  
**Examiner:** Davis, Katharine F.

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL DECLARATION OF DR. G. TODD MILNE**

I, G. Todd Milne hereby declare as follows.

1. I previously submitted a declaration in support of the above-identified U.S. patent application ("the application").
2. In my previous declaration I described experiments in which secondary metabolite production was improved guided by a variety of the teachings of the application.
3. On average, the experiments described in my previous declaration required
  - a. less than 5 hrs of a researcher's time to complete for a single regulator.
  - b. This calculation includes 2 hours to transform protoplasts with a regulator and plate to selective media, 5 minutes to pick 12 representative transformants, 10 minutes inoculate these 12 clones into flasks for fermentation, 10 minutes to sample these 12 flasks, and 1 hour to assay metabolite levels for each flask. Media and buffer preparation to support these efforts would require less than 1.5 hours bringing the total to just under 5 hours. Since many experiments using a variety of different regulators can be done in parallel, a large number of regulators can be tested in a

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relatively short period of time. For 20 regulators, I calculate a total time of less than 20 hours and therefore less than 1 hr/regulator."

4. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6 June 2002

  
G. Todd Milne, Ph.D.